

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of</p> <p>Robert F. Kelley et al.</p> <p>Serial No.: 10/519,647</p> <p>Filed: December 22, 2004</p> <p>For: Apo-2 LIGAND/TRAIL VARIANTS AND USES THEREOF</p>	<p>Group Art Unit: to be assigned</p> <p>Examiner: to be assigned</p> <p>CONFIRMATION NO:</p> <p>CUSTOMER NO: 09157</p>
---	--

PETITION TO ACCEPT APPLICATION UNDER 37 CFR 1.47(a) RECEIVED

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

21 FEB 2006

Legal Staff
International Division

Sir:

Applicants Robert F. Kelley and Sarah Hymowitz petition under 37 CFR 1.47(a) to have the above-identified application accepted without the signature of Stephanie Ho Lindstrom.

Enclosed is a Declaration in support of this Petition, signed by Ms. Mona Beltran, an employee of Genentech, Inc. and working under the direction of the undersigned attorney, setting out the facts for being unable to locate Stephanie Ho Lindstrom. The Declaration is accompanied by the following documentary evidence:

- *copy of the August 2, 2005, letter to Stephanie Ho Lindstrom;
- *copy of receipt from Federal Express dated August 2, 2005;
- *copy of tracking history from Federal Express;
- *copies of various emails to try to get current information for Ms. Stephanie Ho Lindstrom.

The last known address of the non-signing inventor Stephanie Ho Lindstrom is:

20 Queen Anne Court
Millbrae, CA 94030

Her last known citizenship is the US.

The signing inventors believe that they and Ms. Stephanie Ho Lindstrom are joint inventors. The signing inventors have therefore, as required by 35 USC 116, second paragraph, and 37 CFR 1.47(a), made the above-identified application on behalf of themselves and Stephanie Ho Lindstrom by signing a declaration including the

10/519,647

name, address, and citizenship of Stephanie Ho Lindstrom as well as their own in accordance with MPEP 409.03 (a), subparagraph (A).

This petition is accompanied by the required \$130 fee set forth in 37 CFR 1.17. The Commissioner is authorized to charge Deposit Account No. 07-0630 in the amount of \$130. A duplicate copy of this paper is enclosed.

Applicants therefore respectfully petition that this application be accepted without the signature of non-signing inventor Stephanie Ho Lindstrom.

Date: January 10, 2006

Respectfully submitted,
GENENTECH, INC.
By: Diane L. Marschang
Diane L. Marschang
Registration No. 35,600